

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR  
SYSTEMS PRODUCTS LIABILITY  
LITIGATION

Master File No. 2:12-MD-02327  
MDL 2327

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ETHICON WAVE 9 CASES LISTED IN  
EXHIBIT A TO PLAINTIFFS' NOTICE OF  
ADOPTION

JOSEPH R. GOODWIN U.S. DISTRICT  
JUDGE

**NOTICE OF ADOPTION OF PRIOR DAUBERT RESPONSE  
REGARDING PETER ROSENBLATT, M.D. FOR WAVE 9**

Plaintiffs filed a Notice of Adoption [Dkt. 8282] in the Wave 9 cases identified in Exhibit A<sup>1</sup> to their Notice, adopting their Motion to Exclude Certain Opinions and Testimony of Peter Rosenblatt, M.D. and Supporting Memorandum from Ethicon Wave 2. Defendants hereby adopt and incorporate by reference the *Daubert* response filed in relation to Peter Rosenblatt, M.D. for Ethicon Wave 2, Doc. No. 2535. Defendants respectfully request that the Court deny Plaintiffs' motion for the reasons expressed in the Wave 2 response briefing and as stated in the Court's Memorandum Opinion and Order (*Daubert* Motion re: Peter L. Rosenblatt, M.D.) [Dkt. 3553].

Respectfully submitted,

/s/ William M. Gage

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<sup>1</sup> The following cases listed on Plaintiffs' Exhibit A have been dismissed without prejudice: Lori Ransom (No. 2:13-cv-18285), and Kay Zariski (No. 2:14-cv-26753). Plaintiffs' Notice is therefore moot as to these cases. Should these cases be revived, Ethicon hereby adopts its prior *Daubert* briefing for those cases as stated herein.

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/s/ Susan M. Robinson

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COUNSEL FOR DEFENDANTS

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**CERTIFICATE OF SERVICE**

I certify that on this date I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage

William M. Gage

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